

EXHIBIT A
VARIANCE/MINOR USE PERMIT/COASTAL DEVELOPMENT PERMIT FINDINGS
DRC2015-00089 EUREKA ENERGY

Environmental Determination

- A. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on April 27, 2016 for this project. Mitigation measures are proposed to address biological resources are included as conditions of approval.

Minor Use Permit

- B. The proposed project or use is consistent with the San Luis Obispo County General Plan because the use is an allowed use and as conditioned is consistent with all of the General Plan policies.
- C. As conditioned, the proposed project or use satisfies all applicable provisions of Title 23 of the County Code.
- D. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because the access road and pedestrian path do not generate activity that presents a potential threat to the surrounding property and buildings. This project is subject to Ordinance and Building Code requirements designed to address health, safety and welfare concerns.
- E. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because the access road and pedestrian path are similar to, and will not conflict with, the surrounding lands and uses.
- F. The proposed project or use will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project because the project is located on Reservoir Road, a local road constructed to a level able to handle any additional traffic associated with the project.

Coastal Access

- G. The proposed use is in conformity with the public access and recreation policies of Chapter 3 of the California Coastal Act, because the proposed project is in support of the operation of the existing nuclear power plant onsite, and the spent fuel storage and steam generator replacement projects were approved with the provisions for expanded coastal access.

Variance

- H. The variance authorized does not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and land use category in which it is situated because the existing transmission tower is located on uniformly steep slopes which offers no alternative to development on slopes of less than 30 percent to provide

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the necessary roadway access. Without this variance, construction of the access road could not be accomplished.

- I. There are special circumstances applicable to the property, including size, shape, topography, location, or surroundings, and because of these circumstances, the strict application of this Title would deprive the property of privileges enjoyed by other property in the vicinity and in the same land use category. The site's slopes in excess of 30% underlying the existing high voltage transmission tower constitute special circumstances.
- J. The variance does not authorize a use that is not otherwise authorized in the land use category because the project site is a legally created lot in the Public Facility land use category, and the proposed project is an access road and pedestrian pathways that comply with all San Luis Bay Area Plan -- Coastal standards, and all other CZLUO standards beyond development on slopes of greater than 30 percent.
- K. The granting of such application does not, under the circumstances and conditions applied in the particular case, adversely affect the health or safety of persons, is not materially detrimental to the public welfare, and is not injurious to nearby property or improvements, because a geotechnical report and a Preliminary Drainage Plan have been prepared to evaluate site characteristics and plan for appropriate design, engineering and development of the site. The recommendations from the geotechnical report and Preliminary Drainage Plan are included as conditions of approval for the proposed project and will be incorporated into the construction plans and implemented throughout the building inspection process.
- L. The variance is consistent with the San Luis Obispo County General Plan because it has been designed in accordance with the Coastal Zone Land Use Element and other relevant elements of the general plan.